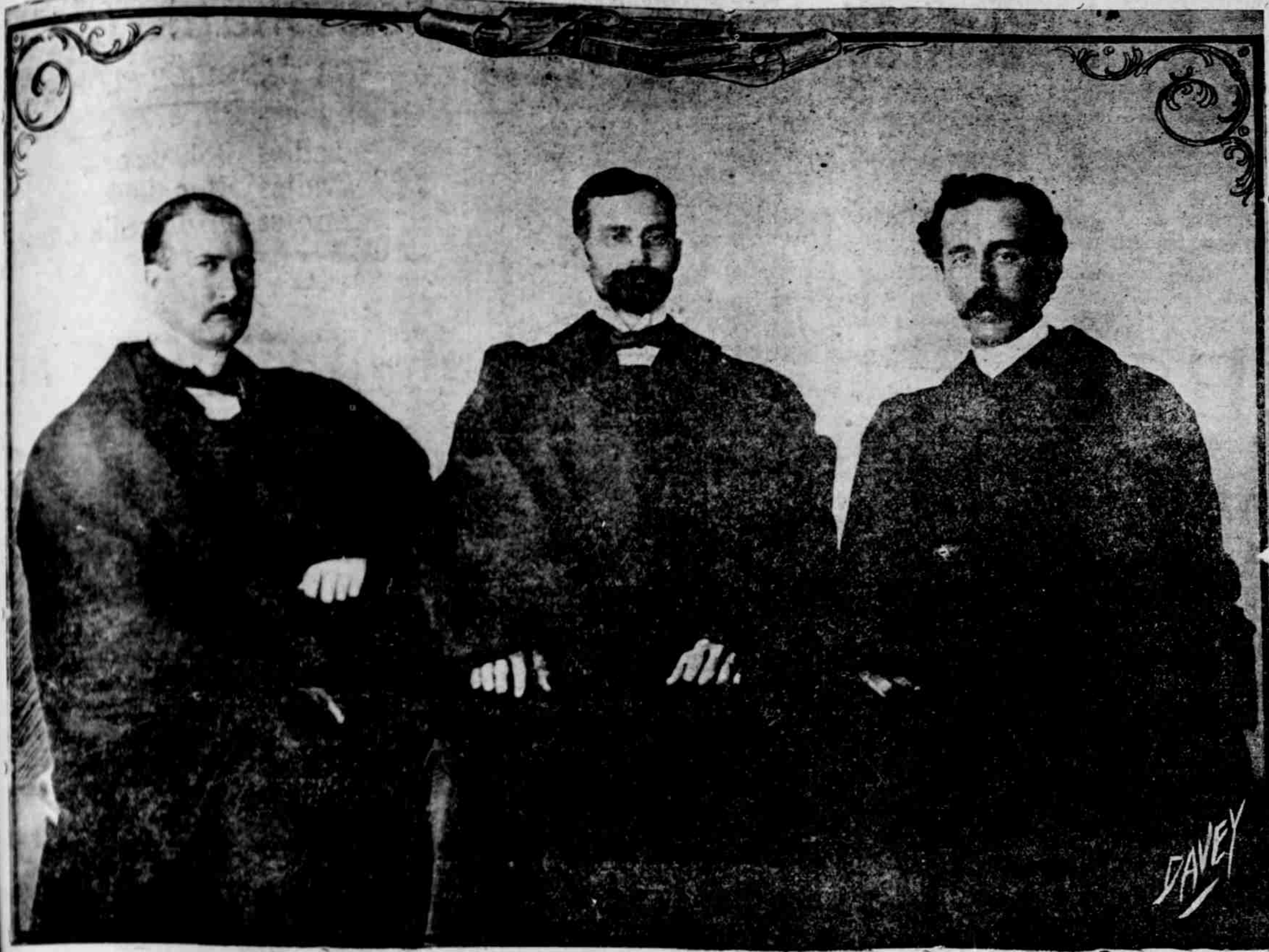


## THE SUPREME COURT OF THE TERRITORY OF HAWAII



members of the presiding Court of the Territory of Hawaii, and the people of Hawaii are not so much interested in the details of the lives of the three Justices of the Supreme Court as they are in the details of the lives of the three Justices of the Supreme Court.

Walter F. Frear was born in California, on March 1, 1855. For a few years he was a teacher and then he came to Hawaii with his parents when they came to Oahu College, graduating from that institution in 1881. He entered Yale University in 1882, and was graduated with the degree of Bachelor of Arts in 1885, and securing an election to the Phi Beta Kappa Society, whose members are chosen from the honor men of each senior class. He returned to San Francisco and spent a half year in attendance at Hastings Law College there. Later he returned to the Islands, and for two years and a half was an instructor at Oahu College teaching Greek, Mathematics and Political Economy. After a year in the law office of Judge A. S. Hartwell, Judge Frear went to Yale Law school and took the degree of LL.B. (magna cum laude) there in 1890, winning the Jewell Prize for the best examination. He spent the summer in Europe and then returned to Honolulu, being admitted to the bar at once and practicing law for five months by himself. He then went into partnership with L. A. Thurston. On January 1, 1893, he was appointed second judge of the Circuit Court by Queen Liliuokalani, and on March 7, following, after the downfall of the monarchy he was appointed second associate justice of the Supreme Court by Sanford B. Dole, as chairman of the Provisional Government. On January 6, 1896, President Dole appointed him first assistant justice of the Supreme Court. In 1898 he was appointed a member of the Hawaiian commission and served as such during the following fall and winter here and afterwards at Washington. Judge Frear did a large part of the work of drawing the Territorial Act. During the illness of Chief Justice Judd, Judge Frear acted as chief justice and on June 6th last he was appointed as chief justice of the Supreme Court of the Territory.

Antonio Perry, first associate justice, was born in Honolulu on January 5th, 1871, and is the only native son of the Islands on the bench. He attended the public schools of the city during his early years and afterwards at St. Albans College. Later he entered Oahu College and graduated there in

June, 1889. He continued as a student there for another year taking post graduate work. He went to the States intending to enter college but owing to ill health was unable to carry out his ambition. Returning to the Islands he entered the law office of Judge A. S. Hartwell and studied there until March 15, 1893, when he was admitted to the bar. He continued his association with Judge Hartwell for something over a year or more, being appointed on September 1st, 1894, to the position of District magistrate for Honolulu. On January 11, 1896, he received the appointment of second Circuit judge, and on November 13, 1897, he was appointed first Circuit judge. This position he held until he was appointed first associate justice of the Supreme Court by President McKinley on June 6, 1900.

Clinton A. Galbraith, second associate justice, was born in Bartholomew County, Indiana, in 1860, and gained his early education in the common schools of the county. He matriculated at Hartsville College, Hartsville, Indiana, and pursued the classical course at that institution for four years. After graduating at this institution he studied law for a time in the office of Hon. Francis T. Hord, at Columbus, Indiana, and then entered the law department of the University of Michigan taking his degree there in 1884, being a classmate of J. A. Magoon. In the same year he located in Kaufman County, Texas, and practiced there for some years. In the spring of 1889, at the time of the opening of the Oklahoma lands, he moved to Oklahoma City and lived there from that time until February, 1898, when he came to the Islands. During his residence in Oklahoma he for four years occupied the position of Attorney General of the Territory. For a time after removing to the Islands Justice Galbraith was associated with J. A. Magoon and later removed to Hilo, where he was practicing law at the time of his appointment to the Supreme bench.

Nothing of value was stolen. The money had been put away in the safe. The police department yesterday had not the slightest clue to the identity of the burglars.

There are a number of rough characters in town who came into port lately. These are being watched by the detectives.

SOMETHING WRONG.

Wife (to husband returning at 3 a. m.): "One o'clock I think." (Clock strikes three).

Wife: "Why, it just struck three, sir."

Husband: "Ridiculous, my dear; that clock must stutter."—Flegende Blatter.

The city of Caracas, Venezuela, was severely shaken by a temblor October 29. Fifteen persons were killed and many injured, among them being the President, General Cipriano Castro.

OFFICES TO LET.

THE TRUSTEES UNDER THE will of the late James Campbell invite the attention of persons desiring office accommodation to the plans for twenty offices now being arranged in the Campbell block, having an entrance on both Fort and Merchant streets.

These offices will be light, well ventilated, and will be ready for occupation on or about February 1st next. Terms moderate.

For further particulars, please apply to

CECIL BROWN, or J. O. CARTER, Trustees, Honolulu, November 8, 1900. 5698

NOTICE

DR. M. E. GROSSMAN'S OFFICE will be closed for a few weeks during his absence from the Islands. 5695

NOTICE.

I HAVE THIS DAY SOLD MY one-half interest in the Chong Hing Wai Company, rice plantation at Wai-lua, Kauai, to the said Chong Hing Wai Company. I will not be held responsible for any debt contracted by said Chong Hing Wai Company.

Dated, November 7, 1900. 5697 AU IN TOU, or AH FONG.

FOR SALE.

A VALUABLE PIECE OF PROPERTY situated on the corner of Punahou and King streets, 190 x 208; good locality; near both the King and Beretania street car lines. Many valuable fruit trees in full bearing on the premises. For further information apply to

W. W. CHAMBERLAIN, Room 207, Judd Building. 5671

THE MELROSE, King Street

Board and rooms; all modern comforts; electric lights; mosquito proof; a quiet, refined home. King St. cars pass the door. Prices moderate. Telephone 3651-blue.

## STACKABLE IN A BOX

Conflicting Decisions To Reconcile.

## LAWS ARE AT VARIANCE

Curious Inequalities in Directions of Treasury Department as To Chinese.

Collector Stackable is between the devil and the deep sea as to how to act legally in the admittance or exclusion of Chinese coming here from their own country. Decisions seemingly contrary to one another are in his hands as guides from the Government at Washington. With all collectors of American ports where the business with China is large there is a constant inability to know exactly what to do in many cases of applications to land on the part of Chinese.

In Honolulu many of these cases are in the courts. Decisions of lower courts are constantly being appealed and it puzzles Collector Stackable to know how to act in each individual case. Here is a decision dated at Washington, September 17, which is indeed a remarkable one:

Treasury Department, Office of Commissioner-General of Immigration, Washington, September 17, 1900. Collector of Customs, Honolulu, H. T.

Sir:—The Bureau is in receipt of your letter of 24th ultimo, inclosing a communication from Messrs. H. Hackfeld and Company, Ltd., requesting a refund of Head tax on all Chinese passengers who have been landed at your port since June 14, 1900, upon the ground that they were possessed of Hawaiian birth certificates and are therefore citizens of the United States.

The Solicitor of the Treasury has gone over this matter and has expressed the opinion that the application of Messrs. H. Hackfeld and Company should be denied, upon the ground that Chinese persons acquiring citizenship under the laws of Hawaii cannot be considered citizens of the United States, and are therefore not immune from the collection of per capita tax.

Respectfully, J. H. LARNED, Acting Commissioner-General. According to this decision Chinese

who had been naturalized under the laws of Hawaii are not citizens of the United States. As the Territorial Act said plainly that all citizens of Hawaii were citizens of the United States and as about 100 Chinese have registered and voted here in the last election, this Treasury decision bumps up against a higher authority, that of the Congress and President of the United States.

The following decision at variance with the preceding one is taken from "Treasury Decisions," published at Washington, October 25:

(22551) Admission of Wife of a Chinese Native-born Citizen of the United States.

The wife of a Chinese native-born citizen of the United States is entitled to admission regardless of the provisions of Section 194, Revised Statutes, nor does such right to land depend on the status of her husband as a merchant, even if it is held that the exclusion laws apply to a Chinese merchant who is native-born.

Treasury Department, October 19, 1900.

Sir:—The Department is in receipt of your letter of 19th instant transmitting papers on appeal in behalf of Li Ham Shi, a Chinese woman to whom admission was denied by you upon the ground (1) that she can not, under Section 194 of the Revised Statutes of the United States, take the status of her husband, who is a native-born citizen of this country, and (2) that she is not admissible as the wife of a merchant, her husband not having been a merchant at the time of her application for admission.

The Solicitor of the Treasury has rendered an opinion on this case, an extract from which follows:

I do not think that Section 194, Revised Statutes, applies to this case. There is no question of citizenship, as to the wife, involved. She does not apply to be landed because of any supposed right to be "lawfully naturalized" but because she is the wife of a native-born citizen of the United States. I do not think her right to land depends on the status of her husband as a merchant—even assuming that the exclusion laws in this regard apply to a Chinese merchant who is a citizen of this country—but rather on her higher right not to be separated from her husband, who is a citizen of the United States and is legally entitled to live in the country of his birth.

In view of the foregoing, the appeal is hereby sustained and you are directed to release and land the said Li Ham Shi.

Respectfully, H. A. TAYLOR, Assistant Secretary, Collector of Customs, San Francisco, Cal.

Lady Wm. Beresford (formerly Lillian, Duchess of Marlborough) has brought action against the young Duke of Marlborough to recover the money which she spent in improving Blenheim Palace during the lifetime of the last Duke.

## BURGLARS' BOLD DEEDS

City Business Houses Robbed.

## GET ONLY SMALL BOOTY

Nuuanu Street Stores Entered by a Skilled Gang—Police Have No Clue.

A gang of burglars is at work in the city. At some time during Wednesday night and Thursday morning several Nuuanu street business houses were broken into and articles of value and money taken.

That the gang picked out a street in the business district in which to operate in and chose to force the front entrances indicates that the men are old hands at the business and know the police conditions.

The shop of On Hing, a Chinese merchant, was broken into in a bold manner.

The display window which is very thick plate glass was shattered by a blow. Watches, jewelry and other trinkets were abstracted from the showcase. The proprietor estimates his loss at about \$120.

The strangest feature of the robbery is that there were no police officers in the vicinity at the time. The shattering of a plate glass window at dead of night makes quite a noise, but no member of the force appeared to disturb the burglars as they plied their trade.

The Hoffmann saloon, corner of Nuuanu and Hotel streets, was a sufferer to the extent of \$12 cash. It is supposed that an entrance was effected by going through one of the Chinese stores and getting in at a back window.

A stepladder made the ascent to the window an easy matter, and the window offered but little obstruction to the thieves' entrance. A screen was placed before the window so that they could not be seen from the street. An attempt was made to open the safe by means of a chisel, which was unsuccessful. About \$250 was in the safe.

The next foray seems to have taken place in the Royal Annex saloon, almost opposite the police station clerk's office.

Entrance was effected at the rear by cutting a hole in the door. The lock was cut out first, but an iron bar held the door and a panel was removed.

AT AUCTION BY WILL E. FISHER AUCTIONEER

I WILL SHORTLY HAVE AN AUCTION SALE OF

Hawaiian Curios Stamps AND Relics

ETC., ETC.

Persons having any for sale should bring them at my office immediately.

Will E. Fisher

Corner Merchant and Alakea Street.

## Corporation Notices.

## ANNUAL MEETING.

ONOMEA SUGAR COMPANY. THE ANNUAL MEETING OF THE stockholders of the Onomea Sugar Company will be held at the office of C. Brewer & Co., Ltd., in Honolulu, on Thursday the 8th instant, at 11 a. m. Dated, Honolulu, November 7, 1900. E. F. BISHOP, Secretary.

## MEETING NOTICE.

THE ADJOURNED QUARTERLY meeting of the shareholders of C. Brewer & Co., Ltd., will be held at the offices of the Company in Honolulu on Thursday, November 8, 1900, at 10 a. m. GEORGE H. ROBERTSON, Manager.

## HONOKAA SUGAR CO.

THE ADJOURNED ANNUAL meeting of the shareholders of the Honokaa Sugar Company will be held at the office of F. A. Schaefer & Co., on Monday, November 12, 1900, at 10 a. m. 5695 W. LANZ, Secretary.

## NOTICE.

THE ADJOURNED ANNUAL meeting of the shareholders of the Pacific Sugar Mill will be held at the office of F. A. Schaefer & Co. on Monday, November 12, 1900, at 2 p. m. 5695 W. LANZ, Secretary.

## NOTICE

KONA SUGAR COMPANY STOCKHOLDERS' MEETING.

Notice is hereby given that a special meeting of the Kona Sugar Co., Ltd., will be held at the office of M. W. McChesney & Sons, Queen street, Honolulu, at 10 o'clock a. m., on the 23d day of November, 1900, for the purpose of considering the advisability of borrowing money for the purposes of the business of the corporation on the security of coupon bonds of the company for an amount not exceeding \$200,000 to be secured by a deed of trust of the franchise and all the property of the company, present and future.

WILLIAM V. HALL, Vice President Kona Sugar Co. Honolulu, October 30, 1900. 5690

## ASSESSMENT NOTICE.

WAILUA AGRICULTURAL CO. LIMITED.

THE NINTH AND FINAL Assessment of 10 per cent (\$10.00 per share), has been called on the assessable stock of this company, to become due and payable at the office of Cassie & Cooke, Ltd., on October 30, 1900, DELINQUENT NOVEMBER 30, 1900.

W. A. BOWEN, Treas. Wailua Agricultural Co., Ltd. 5690

## MEETING NOTICE.

THE ANNUAL MEETING OF THE stockholders of WILDER'S STEAMSHIP COMPANY will take place at the office of the Company in this city at 10 o'clock Monday morning, November 19, 1900.

S. B. ROSE, Secretary. Honolulu, November 7, 1900. 5697

The Concrete Construction Co., Ltd

Office, 9-10 Progress Block. Quarry and Rock Crushing Plant, PAUOA VALLEY.

CONCRETE ENGINEERS and CONTRACTORS. Estimates furnished and contracts taken for foundations, monolithic concrete structures of all kinds; fire-proofing, pavements, bridges, and any work involving the use of Portland cement concrete. Crushed rock and rock sand for sale. Agents and licensees for Ransome steel-concrete system construction. Monier constructions, Palmer patent hollow concrete building blocks, Stevens' litholite stone.

## NOTICE

NOTICE IS HEREBY GIVEN THAT the Pearl City Cemetery will be open for interments on and after Monday, November 5th, 1900. A special funeral train will leave the railroad station at 2:15 p. m., daily, remaining at the cemetery until after all interments.

The rates for transportation are one dollar for the corpse, and fifty cents for the round trip for mourners. Plats are now on sale at the office of the company, ranging in price from \$10 up, according to location and size. No other charges of any nature.

HAWAIIAN CEMETERY ASSOCIATION, LTD. Room 3, Love Building, Fort St. 5693